

## NATURAL RESOURCES BOARD AGENDA ITEM

3.B.3.

Item No. \_\_\_\_\_

**SUBJECT:** Approve Plan Development For a Motorized State Recreation Area

**FOR:** JUNE, 2006 **BOARD MEETING**

**TO BE PRESENTED BY:** Laurie Osterndorf, Bill Morrissey

**SUMMARY:**

All terrain and off-highway vehicle ownership has increased significantly in the last few years. Nearly 300,000 ATV's are registered in Wisconsin. Survey data from the State Comprehensive Outdoor Recreation Plan (SCORP) indicate that 23.4% of Wisconsin's population (959,400 people) participate in off-road recreation with an ATV. Almost 18% (725,700 people) operate their four-wheel drive vehicles off-road. Off-road motorcycling is enjoyed by 241,900 citizens of Wisconsin. A study published by the USDA shows off-highway vehicle use to be one of the fastest growing outdoor activities. Along with this increase in vehicle ownership has come an increase in requests to use them on Department and other public lands. Currently, ATV's are permitted at Richard I. Bong State Recreation Area, two state forests and seven state trails. DNR is developing a planning process that will determine which yet-to-be-abandoned railroad rights-of-way are suitable and can be used for motorized recreation.

The growth of this activity has also led to use of motorized vehicles in areas not designed to accommodate them and in areas where they are not permitted. This has resulted in problems of trespass, environmental damage, noise and enforcement. On the positive side, a Department of Tourism economic impact study determined that all terrain vehicle use resulted in \$295 million in tourism visitor spending in 2003. The development of a motorized state recreation area is not meant to solve all of the issues, but would be part of the overall motorized recreation picture. Other states have successfully developed motorized state parks as valuable components of their outdoor recreation programs and more are considering this course of action. The U.S. Forest Service is working with the public on all 155 national forests and 20 national grasslands to identify trails and areas suitable for off-road vehicles. DNR can play a leadership role in providing for this growing segment of our population while protecting natural resources and stimulating a rapidly growing tourism market. This activity is within the mission of the Department and provided for in Wisconsin statutes.

**RECOMMENDATION:** Approve plan development for a motorized state recreation area.

**LIST OF ATTACHED MATERIALS:**

No ☒ Fiscal Estimate Required  
No ☒ Environmental Assessment or Impact Statement Required  
No ☐ Background Memo

Yes ☐ Attached  
Yes ☐ Attached  
Yes ☒ Attached

**APPROVED:**

\_\_\_\_\_  
Bureau Director, Bill Morrissey

\_\_\_\_\_  
06/02/2006  
Date

\_\_\_\_\_  
Administrator, Laurie Osterndorf

\_\_\_\_\_  
06/02/2006  
Date

\_\_\_\_\_  
Secretary, Scott Hassett

\_\_\_\_\_  
06/02/2006  
Date

cc: Amy J. Lemberger - AD/5  
Tim Miller - Ladysmith  
L. Osterndorf  
B. Morrissey  
P. Biermeier

B. Brown  
L. Netzer  
B. Chevis

DATE: May 30, 2006

TO: Natural Resources Board

FROM: Scott Hassett  
Secretary, Department of Natural Resources

SUBJECT: A Plan to Review the Concept of a Motorized Recreation Area

The Department of Natural Resources has been listening to the Wisconsin public on the subject of off-highway vehicle recreation for several years. Comments and concerns have been heard from legislators, citizens, organizations, local units of government and Natural Resource Board members.

Under current state statute, the Department has been entrusted with the responsibility to "encourage and supervise a system of all-terrain vehicle routes and trails." In response to the growing issue, and to meet our statutory requirement, I have asked our Land Division to take a comprehensive look at the statewide ATV/OHV issue in relation to access, routes and trails. Likewise I have asked them to fully, and openly, review alternatives to meet this statutory requirement.

One of the solutions being advanced for consideration by interested stakeholders is the concept of creating a motorized recreation area. We have attached a white paper on this subject as part of the Green Sheet package. Any work done to further the development of a motorized state recreation area would be done with the full knowledge and cooperation of a wide range of partners, various stakeholders and the public.

The Department requests your support in putting together a public involvement plan and a concept plan for one or more motorized recreation areas that will ensure the participation of not only off-road vehicle enthusiasts but also interested stakeholders, members of the general public as well as representatives from the outdoor recreation industry and resource protection communities.

We believe our agency has the expertise to bring together on a statewide basis a broad group of participants to discuss this concept. And we know there are strong opinions on this issue and we welcome your approval of this next phase that would allow those opinions to be expressed and considered.

Thank you for your consideration.

**Motorized State Recreation Area for All Terrain Vehicle (ATV) and Off  
Highway Vehicle (OHV) Use**  
***Draft Concept Paper– May 22, 2006***

**PURPOSE**

The purpose of this document is to investigate the concept of creating an ATV/OHV recreation area to be known as a Motorized State Recreation Area. Wisconsin statutes provide for the recognition and provision of trail areas for motorized recreation on DNR lands. Chapter 23.33(8)(a) states, "Department authority. The department shall encourage and supervise a system of all-terrain vehicle routes and trails. The department may establish standards and procedures for certifying the designation of all-terrain vehicle routes and trails."

With the steady increase in the growth of this outdoor recreation activity, it has become necessary for the State of Wisconsin to further examine its role in providing for motorized recreation and to clearly define what is meant by 23.22(8)(a)'s "encourage and supervise." To date, the state grants program has been the most effective tool for assisting local units of government and ATV/OHV user groups with the means to develop about 1,500 miles of trail.

The development of a motorized state recreation area is not meant to solve all of the issues but is meant to be one part of the motorized recreation picture. It can play a major role in providing high quality recreation and tourism but it is not meant to take care of all the issues or to replace other programs.

**TRENDS**

All terrain and off highway vehicle ownership has increased significantly in the last few years. The number of ATV's registered in Wisconsin is approaching 300,000 (228,999 for public use; 53,231 for ag use; 11,657 for private use; 133 for municipal use). This number now exceeds the number of registered snowmobiles. Survey data from the State Comprehensive Outdoor Recreation Plan (SCORP) indicate that 23.4% of the population (959,400 people) participates in off-road recreation with an ATV. 17.7% of the population (725,700 people) runs their four-wheel drive vehicles off-road. Off-road motorcycling is enjoyed by 241,900 citizens or 5.9% of the population.

The trend is the same at the national level. A study published by the USDA Forest Service's Southern Research Station shows off-highway vehicle use is widely recognized now as one of the fastest growing outdoor activities. The study showed the proportion of people age 16 and older who said they participated in OHV recreation increased from 16.8% in 1999-2000 to 23.8% in 2003-2004.

Along with this increase in vehicle ownership has come an increase in requests to use them on Department lands and other public lands in the state, including sections of the Ice Age Trail, the Badger, Crandon to White Lake, Amery to Dresser and the Gandy Dancer state trails. Currently ATVs are permitted in one state recreation area, the Richard I. Bong SRA, and on seven state trails, Buffalo River, Cattail, Nicolet, Pecos, Saunders, Tuscobia and Wild River. DNR is currently undertaking a trail planning effort that will determine which yet-to-be abandoned railroad rights-of-way are suitable and can be used for motorized recreation.

All terrain vehicle use resulted in \$295,000,000 in tourism dollars (visitor spending) in 2003 in Wisconsin according to an economic impact study conducted by the Department of Tourism. This number only includes ATV use and may be higher when other types of off highway vehicle

use are included. The impact of sales tax on 300,000 registered all terrain vehicles is also an important consideration for the economy of the State of Wisconsin.

## DNR GUIDANCE

In July of 2005, the Department issued a position paper entitled "Guidance for ATV use on Department lands". This paper states in part: "All-terrain vehicle (ATV) use is permitted on Department lands only:

1. *By permit for persons with disabilities as a mode of personal conveyance. Permits can be obtained on a case-by-case basis per the procedure and restrictions in MC2527.7.*
2. *As designated use by posted notice (s. NR45.05(3) Wis. Adm. Code), authorized by approved plan, in the following situations:*
  - \* *A connector trail leading to a local or regional trail system under county or municipal management.*
  - \* *On a linear State Trail. Linear State Trails may be state or cooperatively managed.*
  - \* *A loop trail on a property in those limited situations where the size and configuration of that property can accommodate ATV use that is in compliance with the criteria outlined below. (See DNR All-Terrain Vehicle use on Department Lands Draft Guidance.)*

*Within an intensive use area on lands purchased for that specific purpose, or on lands no longer necessary for conservation purposes, that will be operated under a lease agreement."*

## CURRENT ATV OPPORTUNITIES

**State Trails** - ATV's are currently permitted on seven state trails. . The potential to add to the system as rail lines are abandoned in the future will be examined in the DNR trail plan that will be done over the next year. Some ATV and off-highway vehicle riders have told DNR that they appreciate the rail trails but would prefer trails that offer more variety and that would permit them to ride in a more natural type of setting. Safety can be an issue on rail trails due to the speed of the machines and the width of the trail corridor. The best use of rail trails may be to provide connections between private, county, state and federal motorized use areas as well as trail heads and population centers.

**State Parks and Recreation Areas** - DNR does not have plans to expand OHV use in any of the existing state parks or recreation areas. Wisconsin state parks are generally not suited for OHV use due to established traditional uses, natural and cultural resource issues and the size of properties. Park use is governed by master plans and there are no plans for expansion of OHV use in existing state parks and recreation areas.

**Other State Properties** - Currently there are about 80 miles of motorized trails in the Wisconsin state forest system. No major expansions are planned for state forests. The potential for motorized recreation on other state properties such as state natural areas, state wildlife areas and state parks is extremely low. These areas may contain sensitive ecological areas or may have been created for other purposes that are not compatible with motorized recreation.

**County Forests** - The best estimate today is that twenty-nine of Wisconsin's 72 counties currently provide ATV trails on county forest land. These trails generally provide excellent ATV riding over all kinds of terrain. Some counties report problems due to trail engineering that does not meet sustainability requirements. The potential for expansion of these trails is dependent on the state grants program. Some counties have limited or prohibited the use of s ATVs on county lands.

**National Forest** - The Chequamegon-Nicolet National Forest currently offers 228 miles of ATV trail. These trails offer high quality riding experiences. The management plan for the national forest has been completed and 85 miles of new ATV trail are proposed for the Nicolet side of the forest but no "cross country" use will be allowed. The U.S. Forest Service recently announced that all 155 national forests and 20 grasslands would work with the public to identify routes, trails and other areas suitable for off-road vehicles. This plan is intended to halt the proliferation of illegal roads and trails that have sprouted in the national forests nationwide.

**Motorized Recreation Areas** - There are currently no state recreation areas exclusively dedicated to motorized use. The Richard I. Bong SRA accommodates ATV's but also has other uses. The Village of Tigerton in Shawano County provides a 500 acre ATV use area know as the Embarrass River ATV Park. There is a small ATV area in the Town of Rome in Adams County and Barron County is planning to develop an ATV area. A private AVT park is being developed near Birchwood in Washburn County.

## BENEFITS

A motorized trail area would provide these benefits to the State of Wisconsin and its citizens.

- \* Help meet the increasing demand for motorized recreation
- \* Provide outdoor activity for Wisconsin citizens and visitors
- \* Provide an economic boost to the local region
- \* Take pressure off of state lands such as state parks, state trails, state forests and other DNR lands
- \* Take pressure off county forest lands and other public lands
- \* Draw visitors from surrounding states and provide an economic benefit to the state
- \* Bring the DNR together with a strong partner in preserving and managing the natural resources of the motorized recreation area
- \* Promote safety training and responsible off-highway vehicle riding and recreation

## DRAWBACKS

It is important to consider and mitigate potential problems with any motorized recreation area.. Some of them are:

- ❖ Adverse environmental impacts including negative effects on wetlands
- ❖ User conflicts
- ❖ Off trail use
- ❖ Enforcement violations
- ❖ Noise and dust impacts on surrounding neighbors
- ❖ Cost of acquisition, development and operation

## EXAMPLES FROM OTHER STATES

There are several examples of state owned and managed motorized recreation areas in the Midwest. One of the most popular is the Iron Range Off-Highway Vehicle Recreation Area at Gilbert, MN. This 1,200 acre facility is located on the Mesabi Iron Range in northeast Minnesota. Despite dire predictions and warnings of disaster, the recreation area has been a phenomenal success. It is popular with people who participate in off-road recreational vehicle riding, local citizens and local unit of government officials. The Town of Gilbert is experiencing a renaissance and an expansion area of about 3,000 acres is being acquired and is scheduled for opening within two years. According to the site manager, many of the visitors to the area are Wisconsin citizens.

The State of Missouri has two state parks, Saint Joe and Finger Lakes that are dedicated to off-highway vehicle use. Both of these are successfully operated by Missouri state park personnel

with advice and help from local and statewide off-road vehicle associations. The Missouri state park system is financed mostly through a dedicated portion of the state sales tax and they have no entrance fees.

Michigan has Silver Lake State Park which offers sand dunes to off-highway vehicle recreation. The park also has 250 electric campsites. It is on the Lake Michigan shoreline between Ludington and Muskegon and is described by a state park administrator as being "wildly popular". Visitors come to Silver Lake from throughout the Midwest. It is financed by both park entrance permit fees and an off-road vehicle permit as well as from the camping fees. The motorized vehicle use is controlled with a limit on the number of vehicles on the property at one time.

The legislature for the State of New Hampshire recently approved plans to buy a 7,200 acre parcel of land adjacent to the White Mountain National Forest where ATV's are prohibited. The City of Berlin is contributing land that it owns to the project. The area will be designated a state park. They expect to attract riders from around the country and a huge boost for their tourism economy. The state park will contain many miles of off-road trails as well as ski trails, snowmobile trails and campgrounds.

## NATURAL RESOURCES

Most forms of outdoor recreation such as hiking, camping, boating, skiing and bicycling, have some impact on natural resources. The best facilities for all outdoor recreation activities are those that take an area's natural resources into account. No sensitive natural or cultural resources should be disturbed in the siting of a recreation area. Trails and facilities for motorized recreation should follow strict siting and design principles and must be sustainable. Those critical resources that are taken into account when planning for other types of recreation must also be considered for a motorized area. An environmental assessment (EA) will be required for any proposed project.

For a motorized state recreation area, the most important consideration for the user is the land base. Spectacular views, lakes and rivers, while important to all outdoor enthusiasts, are not critical to the success of a motorized state recreation area. Therefore it may be possible to find areas that may not be desirable as state parks.

Forest resources, especially timber resources, are important to the economy of the state. One of the benefits of a motorized state recreation area is that it can exist in harmony with timber management activities. Some changes in trail locations may need to be made as harvests and other management activities occur but the activities are not mutually exclusive. As with other state managed lands, these areas could give the state a broader base of timber resources.

Hunting could be considered on the recreation area. Accommodations would need to be made for safety purposes and these would be negotiated between DNR officials and recreation area partners.

## SIZE AND LOCATION

Many factors will have to be weighed when siting motorized recreational area. These factors include, but are not limited to, the availability and character of the property, its location in the state, surrounding public land, vegetative cover, topography, proposed amenities and proximity to neighbors. Existing motorized recreation areas around the country range in size from a minimum of 2,000 to 7,500 acres. Given success and increased demand, it might be more practical to have these available on a regional basis.

The facilities and staffing levels provided at a motorized recreation site may differ depending on the entity that operates the site. The following discussion describes possible scenarios based on

the assumption that DNR would operate the recreation area. Obviously, the picture would change if the recreation area were operated with external partners.

## FACILITIES

Well engineered, well maintained and sustainable trails are the key component of a motorized state recreation area. Trails of different degrees of difficulty would accommodate a wide variety of users. If the area is suitable, a scramble area, or open riding area, could be included. All trails must be signed with maps available.

The development of specific facilities on a motorized state recreation area will be clearly defined during the master planning process. Facilities that might be considered are an entrance station, maintenance area, restrooms, campgrounds, picnic areas and others. A area or facility for safety training, testing and demonstrations could also be developed in cooperation with the motorized sports communities and industries.

## STAFFING

If the motorized state recreation area were to be operated by DNR, a complement of employees would be necessary to assure adequate resource management and visitor services. Again, the master planning process would outline specific requirements, but the complement of a large property might include a park manager, an assistant park manager, an operations ranger, a law enforcement ranger, and maintenance staff.

## COST

The cost of a motorized recreation area will be described in a business plan that is under development. Cost will include various alternatives based on property acquisition, development and operation and will be the same regardless of whether it is developed and operated by DNR or by partners.

Financing for a motorized state recreation area should be accomplished using new funds since existing registration and gas tax funds are being efficiently used for successful ongoing programs that benefit the all terrain vehicle community.

The cost of the land will depend on the size, location and resources. Forest land in Wisconsin can run from \$400 an acre to \$2,500. For a 2,000 acre parcel, acquisition could run from \$800,000 to \$5,000,000. The development cost is estimated at \$5 million for the facilities discussed earlier. The operational cost for a typical motorized state recreation area is estimated at \$300,000 per year. These costs are just estimates and could vary widely depending on the size, location and development of the area.

Acquisition and development - All financing options should be considered for this proposal. Some of the options are a surcharge on registrations, general obligation bonds, revenue bonds, the Stewardship program, a direct appropriation and an increase in existing fees..

Operations – If properly designed and managed, it is predicted that a motorized state recreation area would pay for its operating costs through user fees. These fees would be for park permits, recreational vehicles, camping and concessions.

There may be other viable financing options and the partners in this endeavor can be used to generate and evaluate ideas.

## PARTNERSHIPS

The key to the success of a motorized state recreation area is a strong partnership with the Wisconsin All Terrain Vehicle Association (WATVA), the Wisconsin Off-Highway Vehicle Association (WOHVA) and the Wisconsin Four-Wheel Drive Vehicle Association. These statewide organizations have been consulted and both have pledged to help with this effort. These organizations bring many organized clubs and thousands of citizen members to the support of a state owned and managed motorized state recreation area.

Other interested parties and potential partners include the numerous outdoor recreation user groups that have a stake in Wisconsin outdoors, as well as the Tribes. The outdoor enthusiasts could include silent sports groups like skiers, hikers, bikers and nature oriented associations. These groups may not be motorized enthusiasts but they are realizing the phenomenal growth of off-highway vehicle use and the need for them to be located in managed areas where they can be safely accommodated.

Another potential partner in this effort is the motorized recreational vehicle industry. This would include those companies producing snowmobiles, ATVs and other off highway vehicles. The industry has a large stake in this endeavor since regulations are increasing and use areas are decreasing. This would be in line with the Department's efforts to work with outdoor recreation industries in the Nature Is Our Business program.

Partners in a motorized recreation area project can be expected to contribute to managing and protecting the state's resources in several ways. The first will be to assist in the planning, design, development and management of the recreation area in a manner that provides suitable recreation, sustainable trails and protection of the area's natural resources. The second will be to work with DNR on an education program to encourage and convince motorized recreation vehicle users to focus their activity on the new recreation area and on other areas where the activity is legally permitted.

In addition, with the current list of development and restoration priorities, it may not be possible to carry out this proposal without financial assistance from partners. That assistance can come in two forms. The first is the willingness of the users of the area to pay reasonable fees that would cover the area's operation. These fees would be set in cooperation with user groups. The second form of assistance would be donations to help with the development of the area. Historically, projects that receive outside financial assistance are given a higher priority.

There is also the potential for other partnerships in the operation of a motorized state recreation area. A number of Wisconsin state trails are operated by counties through the state grants program and this option is available if there would be a willing county. In addition, other options for contracting for services or cooperative agreements can be considered for all phases of the development and operation of the area.

If this concept is approved, outdoor recreation groups of Wisconsin will be asked for input into the proposal, formal recognition of this concept and for specific assistance that they can provide.

## SAFETY

Safety will be the foremost consideration in the development and operation of a state motorized recreation area. The trails will be designed for safety and sustainability. Staff members will be trained in safety procedures and visitors will have access to safety materials and programs.

## NEXT STEPS

Communication is extremely important in moving ahead with any motorized recreation area proposal. Next steps:



- The concept paper will be taken to the Secretary's Office and Governor's Office to gauge their response and level of support.
- A pink sheet will be prepared for NRB as an informational item and to get permission to go public with the proposal.
- A public involvement plan will be developed to encourage public support.
- A business plan outlining alternative scenarios including public/private alternatives, costs and benefits will be drafted.
- Present to the NRB for approval to proceed to the next steps.

As soon as we have approval to begin working on this concept with the public we will invite key groups to help us. The Wisconsin All Terrain Vehicle Association the Wisconsin Off-Highway Vehicle Association and the Wisconsin Four-Wheel Drive Vehicle Association will be consulted. Their assistance can be valuable to ensure that the proposal includes all the important aspects of a use area. Their guidance and support are necessary for the successful operation of such an area and they must be included at the proposal level. Other groups that will be important for support and management advice also need to be brought into the process. These include the State Trail Council, the Tribes, Friends of Wisconsin State Parks, the OHV Stakeholders Group and other groups that are interested in the Wisconsin great outdoors. All of the steps in engaging organizations and the general public need to be outlined in a public involvement plan.

Communication within DNR is important so that all staff members are aware that this initiative is part of the Department effort to provide sound management for this rapidly expanding activity.

#### RECOMMENDATION

Wisconsin has the opportunity to assume a leadership role in providing outdoor recreation for a growing segment of the population while protecting natural resources and stimulating what is fast becoming a large segment of the tourism economy. The production and use of off-highway vehicles is exploding. At the same time, the opportunities for purchasing public land are disappearing.

It is the recommendation of the Department that we proceed to engage the public and potential partners to further study the feasibility and financial issues associated with providing a motorized state recreation area.